

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

RECEIVED FOR FILING

12/4/95

~~Dr. G. W. W.~~

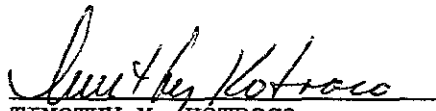


*[Handwritten notes and scribbles]*

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4<sup>th</sup> day of December, 1995 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to allow an accessory structure (swimming pool) to be located in the side yard in lieu of the required rear yard be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:mmm

FILED  
12/4/95  
M. Doran



# Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

12640(S) Harford Rd

which is presently zoned RC-5

96-187-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 To allow an accessory structure (swimming pool) to be located in the side yard in lieu of the required rear yard

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Reason: Due to the orientation and location of the dwelling on the lot the proposed pool would require a variance wherever it could be placed.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Mr. Richard Delp  
(Type or Print Name)

Richard Delp  
Signature

12640 S. Harford Rd  
Address

Fork MD 21051  
City State Zipcode

Attorney for Petitioner:

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zipcode

Legal Owner(s):

Mr. Richard Delp  
(Type or Print Name)

Richard Delp  
Signature

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
Signature

12640 S. Harford Rd 592-6460  
Address Phone No.

\_\_\_\_\_  
City State Zipcode  
Name, Address and phone number of representative to be contacted. x

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

\_\_\_\_\_  
Zoning Commissioner of Baltimore County

REVIEWED BY: [Signature]

DATE 11-3-96

ESTIMATED POSTING DATE 11/12

Printed with Soybean Ink  
on Recycled Paper

ITEM #: 193

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 17640 S. Harford Rd  
address  
Fork MD 21051  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Due to the orientation and location of the Dwelling on  
the lot the proposed pool would require a variance  
wherever it could be placed.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard W. Delp  
(signature)  
Mr. Richard W. Delp  
(type or print name)



Richard W. Delp  
(signature)  
Mr. Richard W. Delp  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21<sup>st</sup> day of October, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Richard W. Delp

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

10/21/95  
date

Charles W. Lutz  
NOTARY PUBLIC

My Commission Expires:

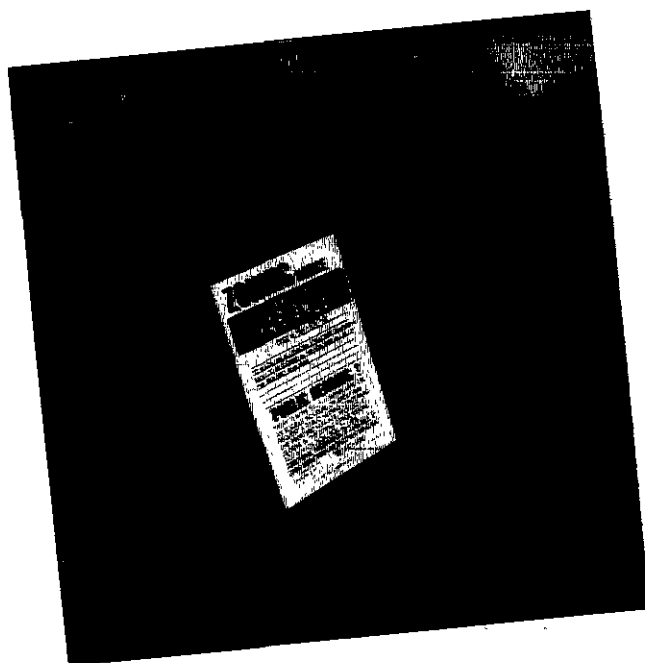
MY COMMISSION EXPIRES SEPT. 1, 1996

Zoning Description for 12640 S. Harford Road

193  
96-187-A

Beginning at a point on the west side of S. Harford Road which is 210' wide at a distance of 650' Northeast of the centerline of the nearest improved intersecting street, Fork Road, which is 20' 20 + - . Containing 89460 sq ft., also know as 12640 S. Harford Road and located in the 6th Election District, 5th Councilmanic District.

MICROFILMED



187  
96-~~107~~-17

Date of Posting 11/12/95

Location of property: 17040 Harford Rd, WIS

Location of Sign: Facing roadway on property being zoned

Date of return: 11/17/95

**Signature**

Item No. 193

004374

ACCOUNT K-001-6180

96-187-A

OWNER R. DELP.

AMOUNT \$ 85.  
Site 12640 S. HARFORD Rd

RECEIVED  
FROM:

FROM: MR. L. STARK

# 010 Residential Variance (Admin) filing fee - 50.

# 080 Sign & posting 35

**FOR:**

*(The following are the names of the persons who have been appointed as members of the Board of Directors of the Corporation since the last meeting of the Board.)*

Total - \$85 =

| DISTRIBUTION    |               | VALIDATION        |
|-----------------|---------------|-------------------|
| WHITE - CASHIER | PINK - AGENCY | YELLOW - CUSTOMER |

**VALIDATION OR SIGNATURE OF CASHIER**



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

November 9, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-187-A (Item 193)  
12640 Harford Road  
W/S Harford Road, 650' NE of Fork Road  
11th Election District - 6th Councilmanic  
Legal Owner: Richard Delp

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before November 12, 1995. The closing date (November 27, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Richard Delp

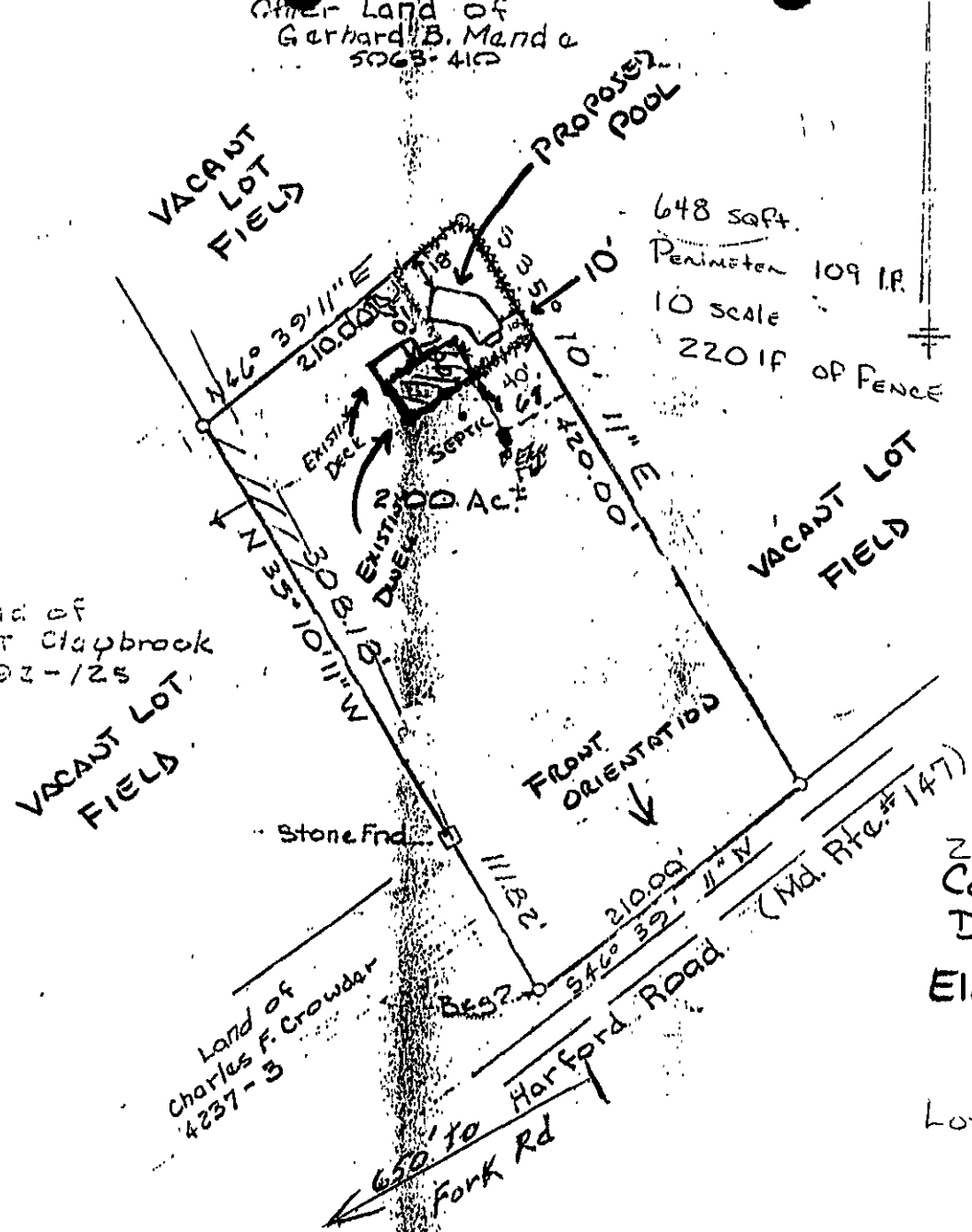
MICROFILMED





Plot to accompany Petition for Zoning Variance

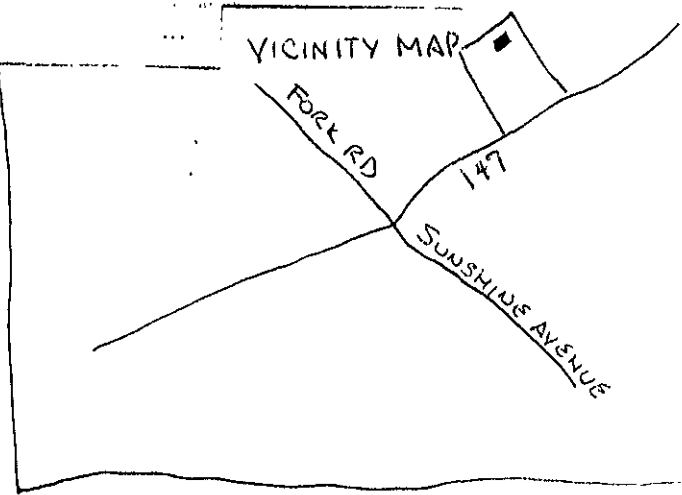
Other Land of  
Gerhard B. Manda  
5063-410



ZONING R.C.5  
Councilmanic  
District 5  
Election District 6

Lot size 2 ac

1" = 200' SCALE  
ZONING MAP  
No. NE 16 I  
Well + Septic  
1" = 100'

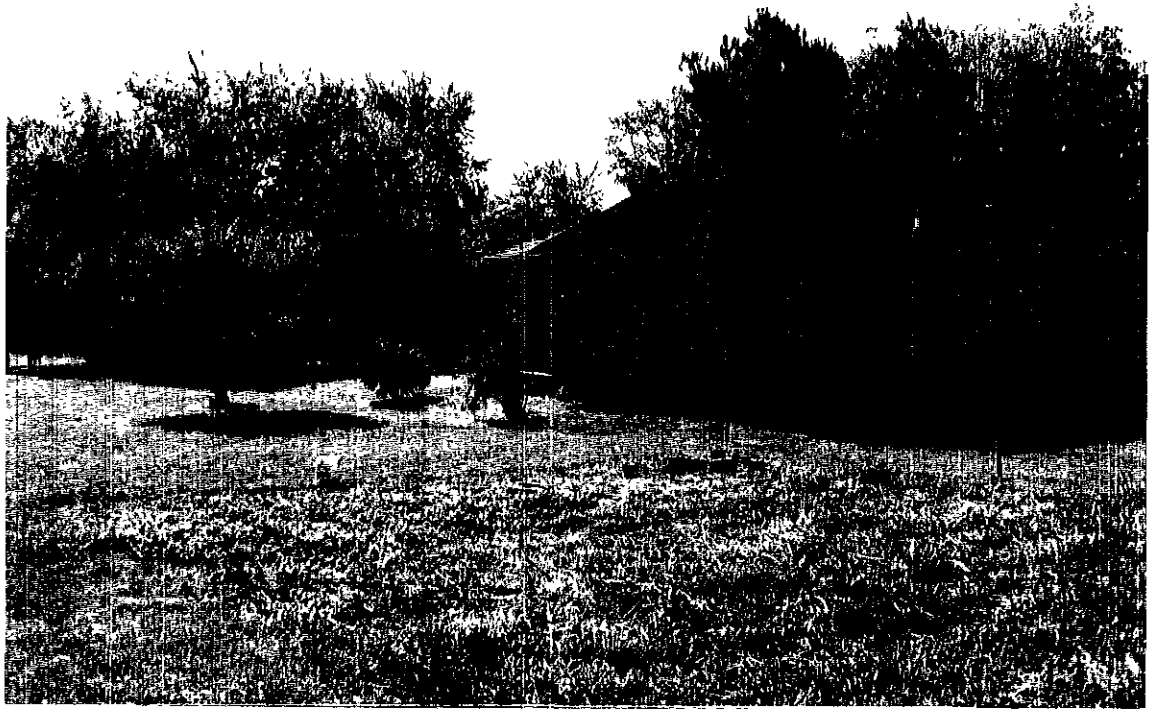


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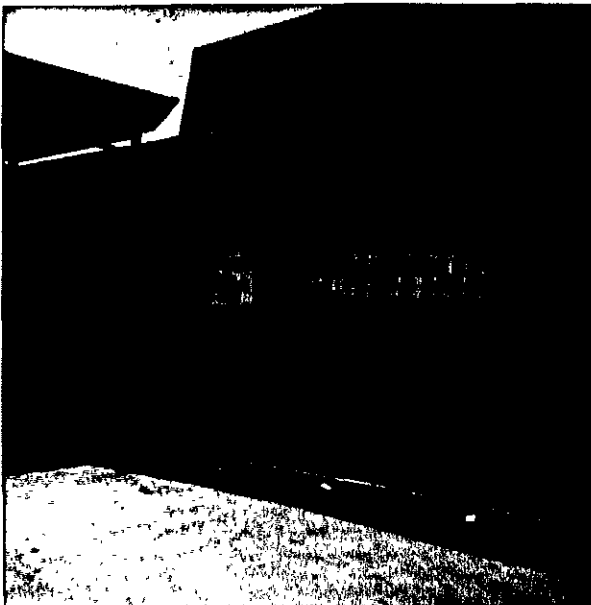
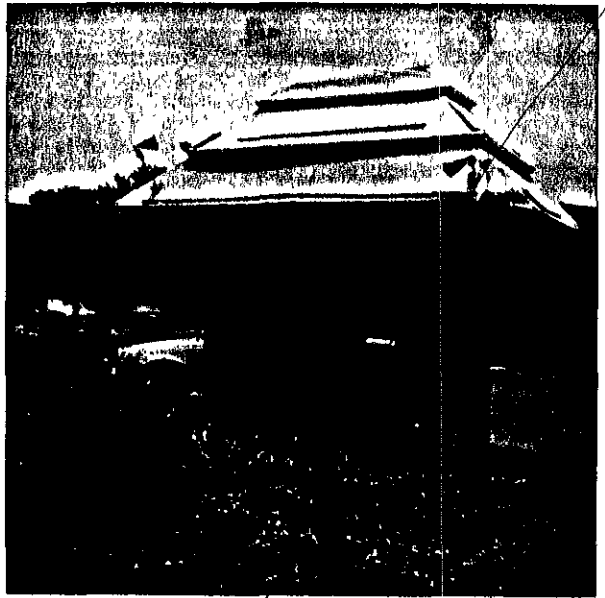
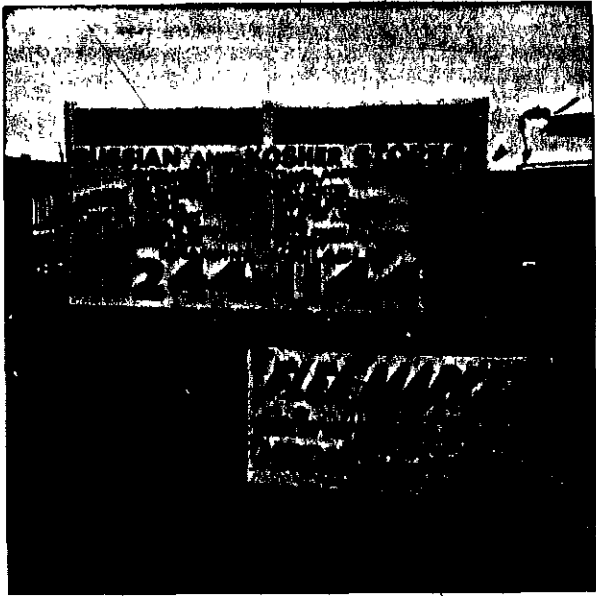
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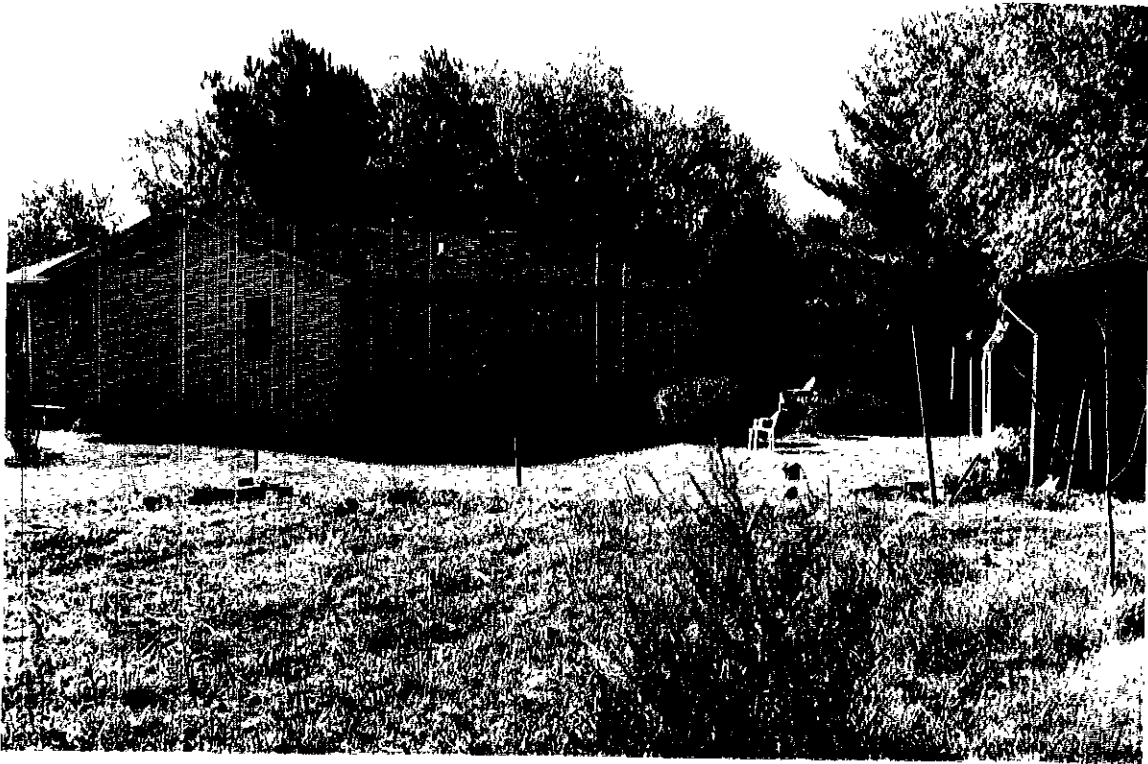




6/16/95 @ 1:30  
P.M.  
120 Reiststown Rd  
Jack Lokoloff







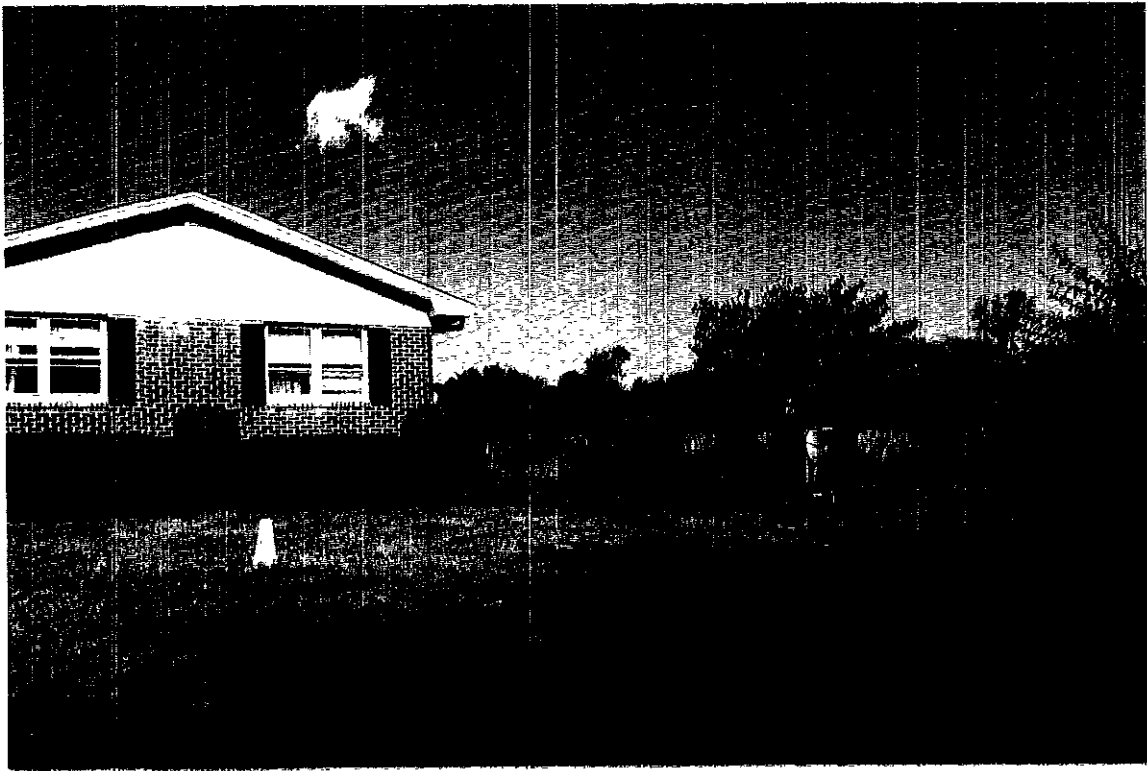


A black and white photograph of a rural landscape. In the foreground, there is a field of low-lying vegetation or crops. In the middle ground, a small, dark, rectangular building, possibly a shed or barn, is partially obscured by trees. The background is filled with a dense line of tall, dark trees under a bright sky.



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96-187-A



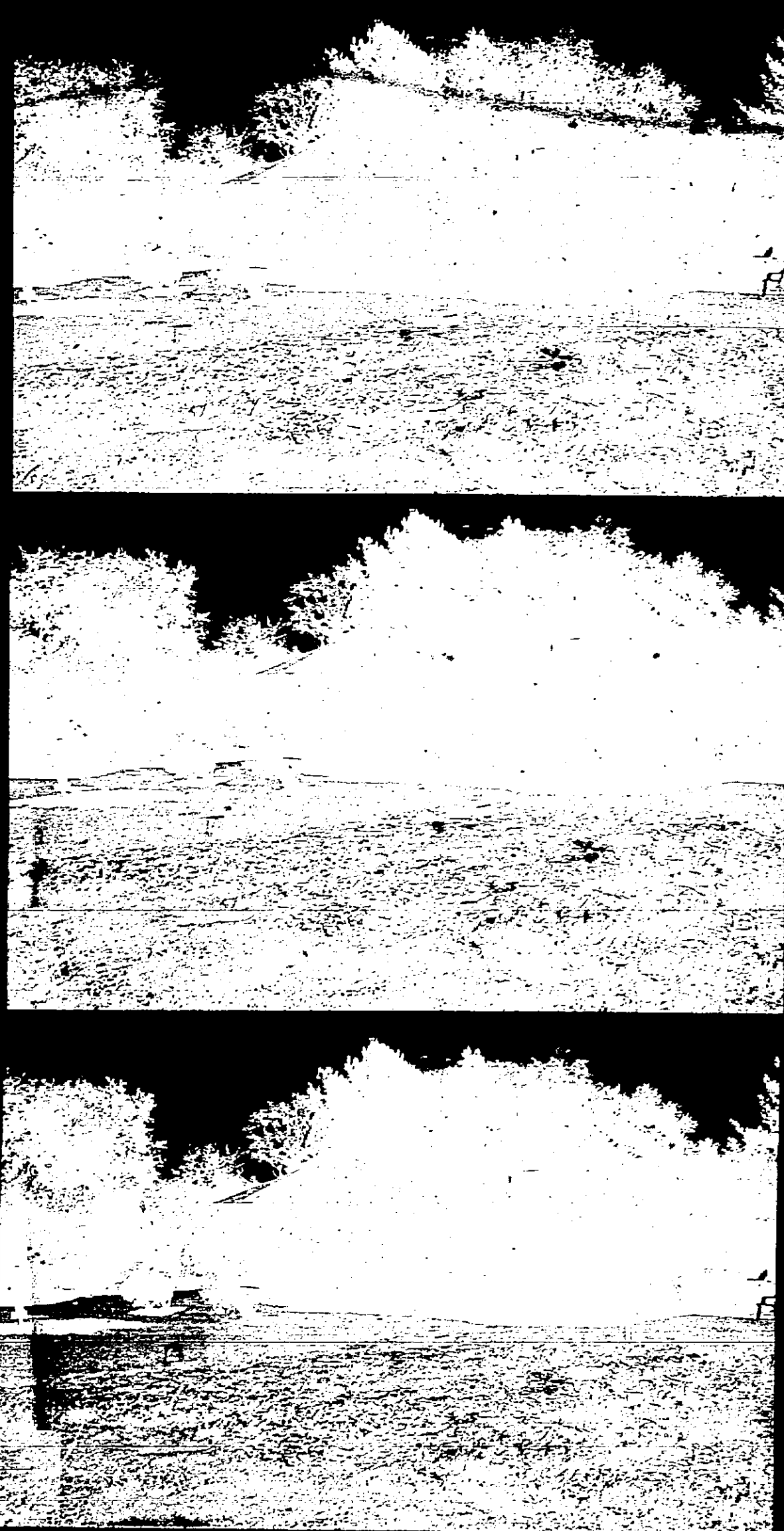




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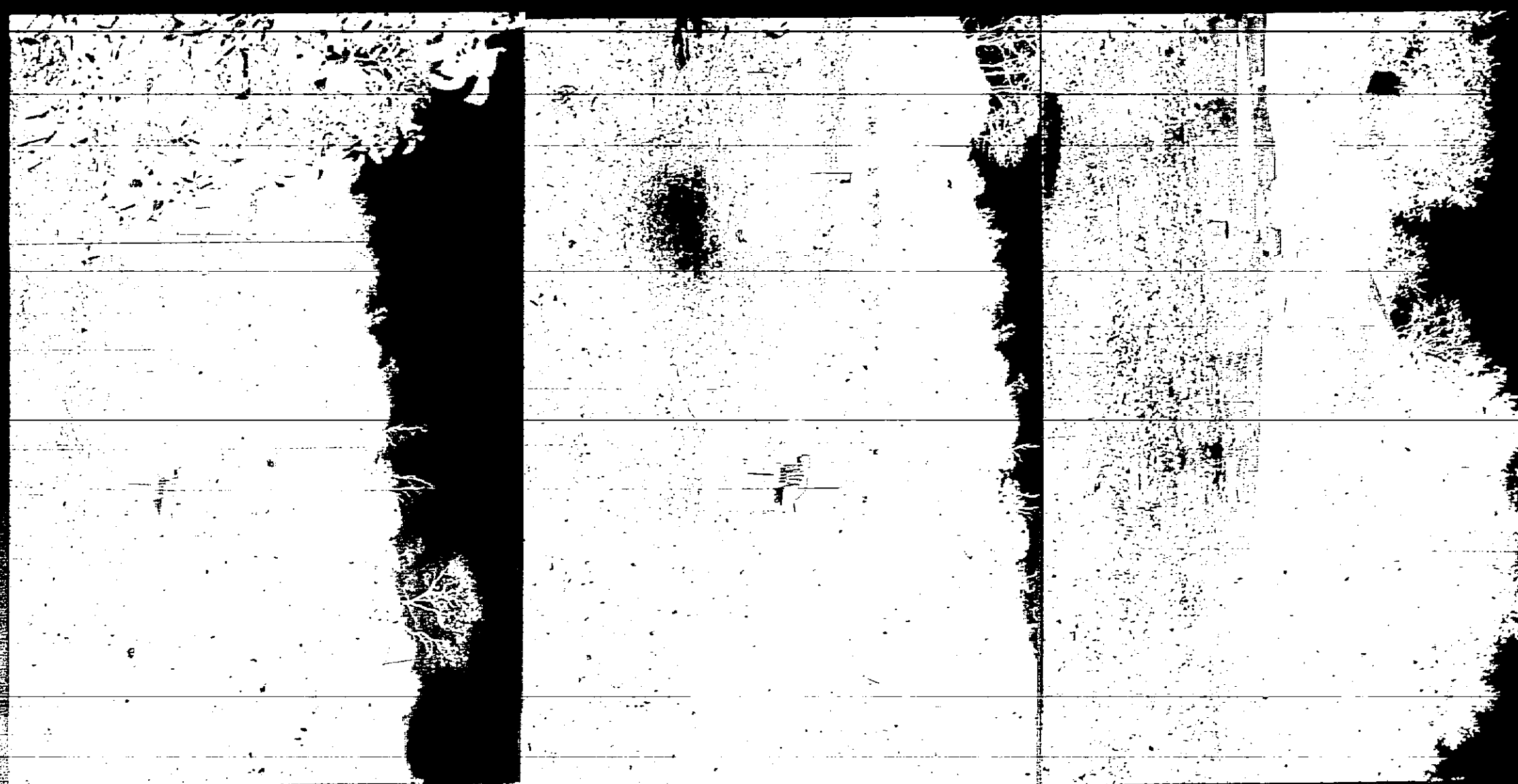
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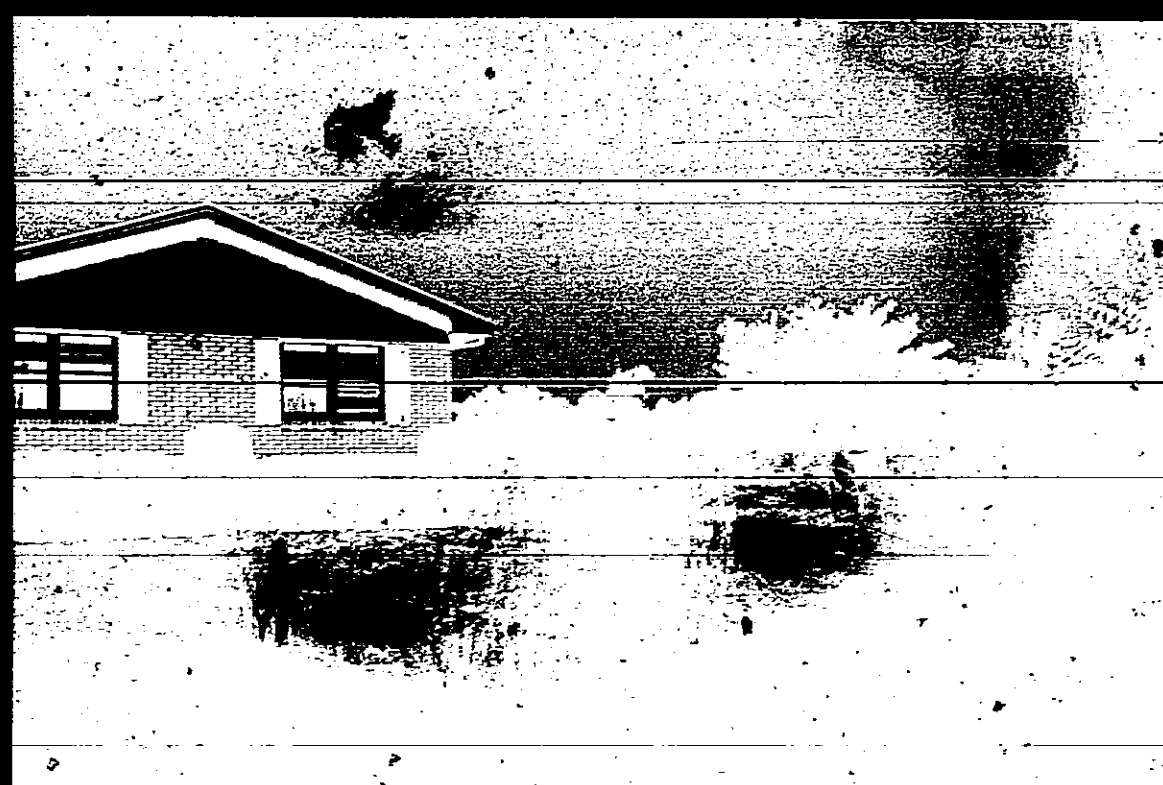


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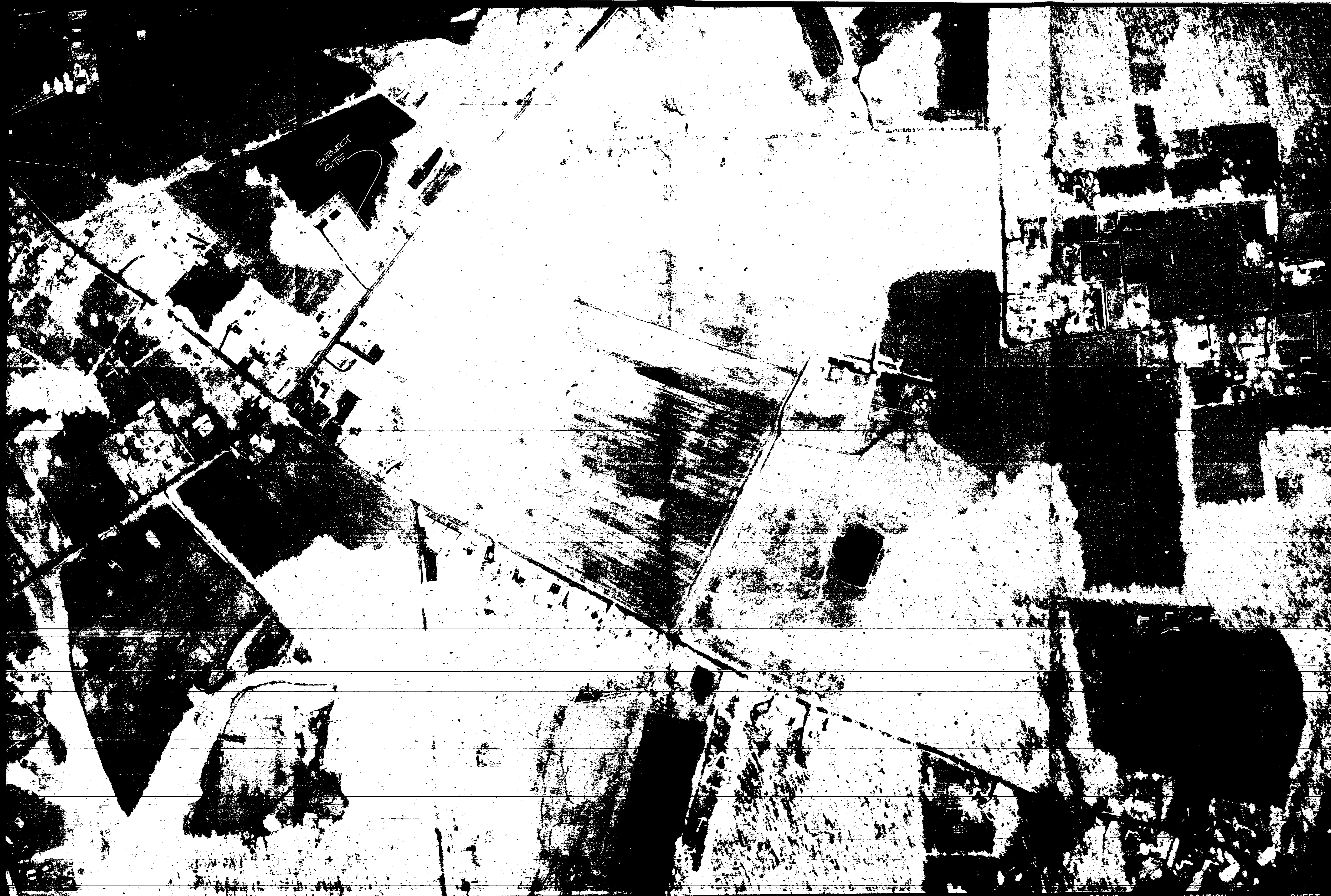
96-187-A











96-187-A

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BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

|                     |          |       |
|---------------------|----------|-------|
| SCALE               | LOCATION | SHEET |
| 1" = 200' ±         |          |       |
| DATE OF PHOTOGRAPHY | FOUR     | N.E.  |
| JANUARY 1986        |          | 16-1  |